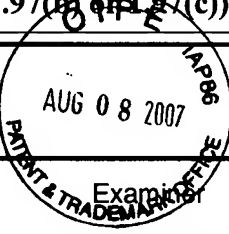


TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**(Under 37 CFR 1.97(b) and 1.97(c))**

Docket No.

17494

In Re Application Of: **Kirsten Lauridsen**

Application No.

Filing Date

Examiner

Customer No.

Group Art Unit

Confirmation No.

10/787,013

February 25, 2004

Leslie A. Wong

23389

1761

3965

Title:

NEW USE OF POLYDEXTROSE IN EDIBLE PRODUCTS, EDIBLE PRODUCTS CONTAINING POLYDEXTROSE AND PROCESSES FOR INCLUDING POLYDEXTROSE IN EDIBLE PRODUCTS

Address to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☒ the fee set forth in 37 CFR 1.17(p).

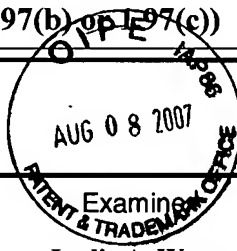
TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

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In Re Application of: Kirsten Lauridsen



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Examining Officer

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NEW USE OF POLYDEXTROSE IN EDIBLE PRODUCTS, EDIBLE PRODUCTS CONTAINING POLYDEXTROSE AND PROCESSES FOR INCLUDING POLYDEXTROSE IN EDIBLE PRODUCTS**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**Certificate of Transmission by Facsimile***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

***This certificate may only be used if paying by deposit account.**

Signature

Certificate of Mailing by First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

August 6, 2007

(Date)

Signature of Person Mailing Correspondence

Edward W. Grolz

Typed or Printed Name of Person Mailing Certificate

Dated: August 6, 2007

Edward W. Grolz

Reg. No. 33,705

Scully, Scott, Murphy & Presser, P.C.

cc: EWG/kl

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
17494

In Re Application Of: Kirsten Lauridsen

AUG 08 2007

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February 25, 2004

Leslie A. Wong

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P.O. Box 1450
Alexandria, VA 22313-1450

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☐ the statement specified in 37 CFR 1.97(e);

OR

☒ the fee set forth in 37 CFR 1.17(p).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s): Kirsten Lauridsen

Examiner: Leslie A Wong

Serial No.: 10/787,013

Art Unit: 1761

Filed: February 25, 2004

Docket: 17494

For: NEW USE OF POLYDEX-
TROSE IN EDIBLE PRODUCTS,
EDIBLE PRODUCTS
CONTAINING POLYDEXTROSE
AND PROCESSES FOR
INCLUDING POLYDEXTROSE
IN EDIBLE PRODUCTS

Dated: August 6, 2007

Confirmation No.: 3965

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT PURSUANT TO 37 C.F.R. §§1.56, 1.97 and 1.98**

Sir:

Applicant, in order to meet her duty of disclosure, set forth at 37 C.F.R. §1.56, submits herewith those additional references which she deems relevant to the claims of the present application.

The relevant additional reference is as follows:

1. CH 677429 A5
2. U.S. Patent No. 5,110,608 (to Cherukuri et al.)
3. International Publication No. WO 98/04156
4. International Publication No. WO 92/08370

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 6, 2007. 08/08/2007 ATRINH 00000035 10787013 100.00 00

Dated: August 6, 2007


Edward W. Grolz

5. International Publication No. WO 00/64281
6. New Zealand Patent No. 248 426

References 1-3 noted above were cited in an International search report in connection with a corresponding international application. A copy of the search report is enclosed as well. It is noted that EP 0447359 cited in the search report was made of record in the Information Disclosure Statement filed on June 28, 2004 (citing its corresponding U.S. counterpart, namely U.S. Patent No. 5,059,428).

The abstract of CH 677 429 reads in translation: "A chocolate with reduced caloric value contains, instead of sucrose, a mixture of from 10 to 40% of maltitol and 15 to 45% polydextrose, calculated on the total weight of the chocolate." The description states that it was noted that sucrose in chocolate could be replaced by a combination of polydextrose and maltitol in a certain ratio and that this mixture surprisingly had a higher sweetness than expected. It should be noted that maltitol is a polyhydric alcohol and not a sugar compound.

Reference 4 was cited in the subsequently issued Written Opinion regarding the corresponding International application. A copy of the Written Opinion is also being provided. It is noted that the Written Opinion also additionally cited WO 00/40101. This reference is already of record, having been cited in the Information Disclosure Statement dated June 28, 2004. For completeness, applicant is also submitting a copy of the International Preliminary Report on Patentability issued in connection with the corresponding international application.

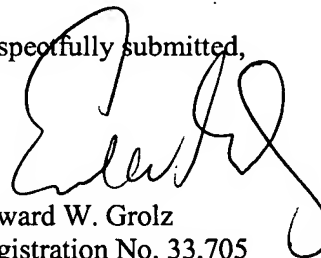
References 5 and 6 were cited in the prosecution of the corresponding New Zealand application. Copies of the two office actions citing these references are being provided. It is noted that in the office actions, international publication no. WO 00/10101 is cited. This publication is totally unrelated to the subject invention. It has been determined that the citation should have been WO 00/40101, said reference already of record having been cited in the original Information Disclosure Statement dated June 28, 2004. The remaining references cited in the New Zealand office actions are also of record.

Applicant respectfully requests that the above-mentioned references be made of record in the file of the present application. To that end, applicant submits herewith the aforementioned references and the completed Form PTO-1449, setting forth these references.

A petition together with the required petition fee is being filed with this supplemental information disclosure statement. Consideration of this Information

Disclosure Statement is respectfully requested, since the information provided herein may be material to the patentability of the subject application as defined in 37 C.F.R. §1.56.

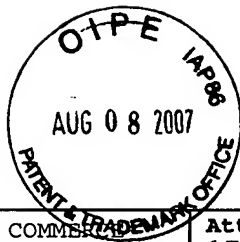
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edward W. Grolz', written over the typed name and registration number.

Edward W. Grolz
Registration No. 33,705

SCULLY, SCOTT, MURPHY & PRESSER, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343

EWG/kl

Sheet 1 of 1Form PTO-1449 U.S. DEPARTMENT OF COMMERCE
(REV. 7-80) PATENT AND TRADEMARK OFFICE**LIST OF PRIOR ART
CITED BY APPLICANT**

(Use several sheets if necessary)

Atty. Docket No.
17494Application No.
10/787,013Applicants
Kirsten LauridsenFiling Date
February 25, 2004Group
1761**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)

U.S. PATENT PUBLICATION DOCUMENTS

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	CH 677 429	5/31/91	Switzerland				
	WO 98/04156	2/5/98	PCT				
	WO 92/08370	5/29/92	PCT				
	WO 00/64281	11/2/00	PCT				
	NZ 248 426	6/27/95	New Zealand				

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

* **EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.